

(1) Real Party in Interest

Adternity, Inc., is the real party in interest by way of assignment from Michael B. Graham, John A. Woffington IV, and Steven P. Wolf, recorded on reel 012827, frame 0659.

(2) Related Appeals and Interferences

Appellants and Appellants' representative are not aware of any other appeal or interference that will directly affect, would be directly affected by, or would have a bearing on the Board's decision in the instant appeal.

(3) Status of the Claims

Claims 33-49 and 64-70 are pending.

Claims 1-32 and 50-63 have been cancelled.

Appellants are appealing the rejections of claims 33-49 and 64-70.

Claims 33-37, 42, 44-49 and 64-70 stand rejected as being allegedly obvious over U.S. Patent No. 6,764,395 ("Guyett") in view of U.S. Patent App. Pub. No. 2003/0191690 ("McIntyre").

Claims 38-41 and 43 stand rejected as being allegedly obvious over Guyett in view of McIntyre, in further view of U.S. Patent No. 5,679,075 ("Forrest").

(4) Status of Amendments

In an After-Final Amendment submitted January 8, 2007, Appellants amended the abstract and cancelled claims 2-7, 10-13, 15-20, and 23-32.

In an Advisory action having a mailing date of February 5, 2007, the Office indicated that the amendments submitted by Appellants on January 8 would be entered for purposes of appeal.

(5) Summary of the Claimed Subject Matter

On appeal, the claims are directed to a computerized method for measuring a consumer's perception of a commercial entity's brand equity, logo, trademark, tradename, tag line, product name and the like, comprising the steps of: (a) providing a